



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-46**

August 30, 2004

Ms. Kathy Conway
360 Bow Lake Rd
Northwood, NH 03261

RE: DES Wetlands File #2004-01044 360 Bow Lake Rd, Northwood

Dear Mr. and Ms. Conway:

On July 2, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Northwood Tax Map 106 as Lot 34 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. An area measuring approximately 20'6" x 8' consisting of boulders and sandy fill had been placed in Bow Lake on the north side of the Property.
2. A dock measuring 4' x 10' was located on the northeast side of the property. DES records indicate that a wetlands permit has not been issued for the dock.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan prepared by a licensed surveyor or engineer for the removal of the fill in Northwood Lake, which includes the following:
 - a. A plan, drawn to scale, with dimensions showing;
 1. The existing sand and stone fill with wetland and surface water boundaries;
 2. Any temporary impacts associated with the restoration work; and
 3. Proposed conditions after reestablishing the original shoreline contour
 - b. A detailed description of the proposed means of erosion control (such as silt fence, hay bales, turbidity curtains, etc.), construction access, and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species;
 - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date;
2. Implement the restoration plan by October 30, 2004 only after receiving written approval and as conditioned by DES.
3. Remove the dock, or, if you wish to apply to retain the docking structure, submit a Standard Dredge and Fill Application to apply for an After-the-Fact Permit for the dock.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Arlene Allen, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-4192.

Sincerely,


Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0561 8316

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Northwood Conservation Commission
Northwood Board of Selectmen
USACOE